

# OGC Has Reviewed

Approved For Release 2002/01/08 : CIA-RDP83T00573R000100050003-6

ODP 1489-77  
28 July 1977

MEMORANDUM FOR:

STATINTL

FROM :

ODP PIO Officer

SUBJECT : John D. Marks and Morton Halperin Litigation

REFERENCES : a. IPS 76-666 dtd 15 March 77  
b. Review Staff 75/3172/1 dtd 22 Oct. 75  
c. OJCS 4169-75 dtd 16 Oct. 75, subject:  
Relations with US Academic and Research  
Institutions.

In response to your request of 26 July 1977, I have reviewed my decision to deny portions of Reference c. On 17 March 1977, in replying to Reference a., I asked that the name of two college professors and their universities be deleted from Reference c. before releasing it to Mr. Marks. The basis for my denial was a B6 exemption under FOIA (erroneously stated as J1). The rationale for claiming this exemption was that public release of their names might be used to embarrass the individuals and their universities. Therefore, it could be viewed by them as an invasion of personal privacy. However, during my second review, I contacted both individuals by phone on 27 July 1977 to see if they had any objection to the release of their names and university affiliation as part of an FOIA request. I read them the text of Reference c. that pertained to them. Neither objected to releasing it with their names. Therefore, Reference c., which was an attachment to Reference b., may be released intact.

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cc: OGC

Distribution:

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O/D/ODP e/7-28-77

Center for National Security Studies

122 Maryland Avenue, N.E.  
Washington, D.C. 20002  
(202) 544-5380

November 12, 1976

Freedom of Information Coordinator  
Central Intelligence Agency  
Washington, DC 20505

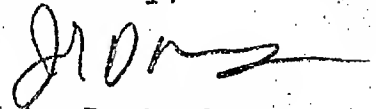
Dear Sir:

This is a request under the Freedom of Information Act.

Please send me a copy of all written material your Agency made available to the Senate Select Committee on Intelligence (the Church Committee), the comparable group in the House (the Pike Committee), or the Rockefeller Commission concerning CIA use of, relations with, operations involving, or in any other way touching on American universities, members of the academic community, academic research, student or university exchange programs, scholarship programs, educational programs, or any other programs related to American universities or American academic personnel.

Since this material has already been assembled for the above-named committees and commission, I do not anticipate there should be any delays in furnishing it to me.

Sincerely,



John D. Marks

NOV 18 1 45 PM '76

3 March 1977

MEMORANDUM FOR: Chairman, Information Review Committee

ATTENTION: [REDACTED] Executive Secretary

25X1A

SUBJECT: FOIA Request Submitted by John D. Marks on  
12 November 1976 (and subsequent Appeal on  
2 December 1976)

1. This is in response to Mr. John Marks's FOIA request for copies of all material made available by CIA to the Church Committee, the Pike Committee, or the Rockefeller Commission, concerning CIA use of, relations with, operations involving, or in any other way touching on the American academic community. Since the Rockefeller Commission files are in the custody of the Office of the Deputy Director of Central Intelligence, this memorandum does not respond to that portion of Mr. Marks's request.

2. Files of the Review Staff, the office of record for all documents forwarded to the Church and Pike Committees, are now in the custody of the Legislative Counsel's Coordination and Review Staff. Those files contain no record that material pertinent to Mr. Marks's request was forwarded by the Review Staff to the Pike Committee. Relevant material was, however, forwarded to or reviewed at CIA by the Church Committee. Copies of those documents, listed below with comment regarding determination of releasability to Mr. Marks, are attached herewith.

25X1A

25X1A a. Review Staff No. 76-0441: Unclassified letter from [REDACTED] to William G. Miller dated 26 May 1976, transmitting an unclassified exchange of correspondence between then DCI Bush and the American Association of University Professors. The AAUP letter of 4 May 1976 was made public by the AAUP; hence, I know of no basis for denying its release to Mr. Marks. Although I also know of no basis for denying the 11 May response from Mr. Bush, or [REDACTED] 26 May 1976 transmittal note, you may wish to obtain the opinion of the DCI Executive Secretariat regarding release of the Bush letter.

25X1A

b. Review Staff No. 76-0248/2, with attachments: Since this pertains to DD/O activities, determination as to release or denial should be made by that component.

c. Review Staff No. 76-0326, with attachment: For reason stated in (b) above, determination as to release or denial should be made by DD/O.

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- d. Review Staff No. 76-0248/1, with attachment: According to Review Staff records, the attachment was not forwarded to the Church Committee but was read at CIA. For reason stated in (b) above, determination as to release or denial should be made by DD/O.
- e. Review Staff Nos. 76-0107/2 and 76-0107/1: For reason stated in (b) above, determination as to release or denial of these two responses should be made by DD/O. (The 16 January 1976 Church Committee request to which these respond is attached for information.)
- f. Review Staff No. 76-0088/5, with attachment: For reason stated in (b) above, determination as to release or denial of portions pertinent to Mr. Marks's request should be made by DD/O.
- g. Review Staff No. 76-0088/2, with attachment: For reason stated in (b) above, determination as to release or denial of any portions relevant to Mr. Marks's request should be made by DD/O.
- h. Review Staff No. 75-3682/2: For reason stated in (b) above, determination as to release or denial, if pertinent to Mr. Marks's request, should be made by DD/O.
- i. Review Staff No. 75/3390/2, with attachment: For reason stated in (b) above, determination as to release or denial should be made by DD/O.
- j. Review Staff No. 75/3390/10: For reason stated in (b) above, determination as to release or denial should be made by DD/O.
- k. Review Staff No. 75/3275/1: For reasons stated in (b) above, determination as to release or denial should be made by DD/O. This document was among those considered by DD/O in connection with the FOIA request of Lewis Lapham, Editor of Harper's Magazine.
- l. Review Staff Nos. 75/3390/9 and 75/3390/7, with attachment: For reasons stated in (b) above, determination as to release or denial should be made by DD/O. No. 75/3390/7 and its attachment were also among those considered by DD/O in connection with the FOIA request of Lewis Lapham.
- m. Review Staff No. 75/3390/8, with attachments: Since this material pertains to DD/A activities, determination as to release or denial should be made by that component. (The 4 November 1975 Church Committee request to which this responds is attached for information.)
- n. Review Staff No. 75/3529/1, with attachments: Since this material pertains to DD/A and DD/O activities, determination as to release or denial should be made by those components as appropriate.

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o. Review Staff No. 75/3172/1, with attachments: According to Review Staff records, the attachments were not forwarded to the Church Committee but were read at CIA. Since this material was provided by DD/A, DD/O and DD/S&T elements, determination as to release or denial should be made by those components as appropriate.

p. Review Staff No. 75/3390/6, with attachment: For reason stated in (b) above, determination as to release or denial should be made by DD/O.

q. Review Staff No. 75/3390/4, with attachments: Since portions of this material relevant to Mr. Marks's request are DD/A originated documents, determination as to release or denial should be made by that component in coordination with other offices as appropriate.

r. Review Staff No. 75/3390/3, with attachment: For reason stated in (b) above, determination as to release or denial should be made by DD/O.

s. Review Staff No. 75/3172/2, with attachments: For reason stated in (b) above, determination as to release or denial should be made by DD/O.

t. Review Staff No. 75/3487/1, with attachments: For reason stated in (b) above, determination as to release or denial should be made by DD/O.

u. Review Staff No. 75/3407/1, with attachments: Since the attachments pertain to DD/S&T activities, determination as to release or denial should be made by that component (in coordination with DD/I, as appropriate, for components which have since been transferred to that component).

v. Review Staff No. 75/3275/1, with attachments: Since the attachments appear to be DD/A and DD/I originated documents, determination of their release or denial should be made by those components in coordination with other directorates as appropriate.

3. Review Staff records also reflect that documents pertaining to CIA relations with the academic world were forwarded by the IC Staff to the Pike and Church Committees. We do not have copies of those documents, but they are identified as follows: IC 75-4687-1 (Memo by [REDACTED] "The Reorganization of International and Cultural Activities," from the Katzenbach Report); IC 76-4014-1 (CIA Explanation of the Covert Action Coordinating Committee); IC 76-4014-2 (DCI Colby's Letter of 21 Oct 75 re: Guidelines Prohibiting Agency Operational Use of Correspondents); IC 76-4014-3 (Files on Forum World Features and [REDACTED]); IC 75-4331 (CIA Relations with U.S. Academic or Research Institutions and Persons

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Affiliated with Them); IC 76-4036 (CIA Memo re: The Agency's Current Operational Relationship with U.S. Media, Academic, Philanthropic, Cultural, and Religious Organizations); IC 75-4302 (CIA Information on Agency Relations with Academic Institutions); IC 76-4303 (CIA-DD/O [REDACTED] Division, three memos re: Relations with Academic Institutions); IC 75-4410 (Amended List on Agency Contacts with Academic Figures); IC 75-4412 (Academic Relations); IC 76-3952 (CIA Transmittal that DOI 50-10 Would Prohibit Agency from Any Type of Cooperative Program with U.S. Universities Such as Existed with ASPAU); IC 76-4021 (CIA Disclosure that Institute of Current World Affairs Provides the Agency with Copies of Its Newsletter). 25X1A

4. The above is, to the best of our knowledge, all the information we have concerning documents pertinent to Mr. Marks's request. If you have any questions, please let me know. 25X1A

[REDACTED]  
FOIA Officer  
Office of Legislative Counsel

cc: General Counsel w/o atts

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*DEFINITIVE OPERATIONS*  
Review Staff: 75/3172/  
22 October 1975

Mr. William Bader  
Select Committee To Study Governmental  
Operations With Respect To Intelligence  
Activities  
Room G-308  
Dirksen Senate Office Building  
Washington, D. C. 20510

Dear Mr. Bader

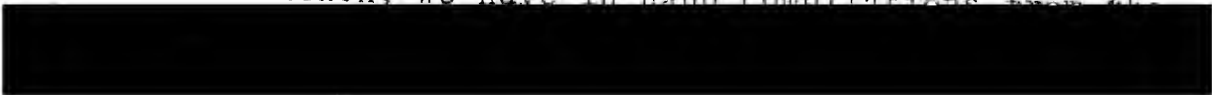
In response to your request dated 7 October 1975 for information about CIA relations with U.S. academic or research institutions and individuals affiliated with these institutions, please be advised as follows:

As of this date, responses are available from:

1. DD/S&T (25 pages)
- ✓ 2. Office of Joint Computer Support (2 pages)
3. Office of Medical Services - (1 page)
4. Office of Personnel (27 pages)
5. Office of Logistics (computer run - 99 contracts)

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In addition, we have in hand compilations from the



In view of the bulk, we respectfully suggest you may wish to review these preliminary responses in the Review Staff chambers. If there are questions on responses to date - and on subsequent responses - we can deal with them

OJCS 4169-75

16 OCT 1975

MEMORANDUM FOR: Review Staff

ATTENTION : Mr. Walter Elder

THROUGH : Associate Deputy Director for Administration

SUBJECT : Relations with US Academic and Research Institutions

REFERENCE : Letter from Mr. William B. Bader, US Senate Select Committee to Mr. Walter Elder, Review Staff, CIA dated 7 October 1975

1. Reference letter requests "full and complete information on the direct or indirect involvement of the CIA with US academic or research institutions and with individuals affiliated with such institutions." The Office of Joint Computer Support provides a computer services organization to satisfy Automatic Data Processing (ADP) requirements handled centrally or as services of common concern. OJCS support includes complete development and operation of systems as well as providing advice or technical ADP information needed by user components to carry out their functions. Effective execution of this mission necessitates contact with academic, research and industrial institutions who are involved in "state-of-the-art" research and development of ADP hardware and software.

2. Typical examples of contacts and involvements with academic and research institutions are:

a. Use of College Professors as Consultants

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57 [REDACTED] currently working as consultants on the development of a large intelligence information management system known as SAFE, Support to Analysts File Environment.



b. Briefings by and Visits to Research Institutions

Members of our Systems Engineering Division and SAFE Project Division recently visited Stanford Research Institute for briefings and demonstrations of computer related research and development projects which might have application in the Agency.

c. Exchange of Computer Programs with Academic Institutions

Much of the advanced computer program development is done by colleges and universities. OJCS has acquired through purchase or gift a number of computer programs from academic institutions or their staff members. An example is the WATFOR Fortran Compiler developed by the University of Waterloo.


d. Communication with Members of Professional Societies and User Groups

Many OJCS personnel communicate formally and informally with fellow members of professional societies and computer user groups, who work for academic or research institutions, to exchange technical information of common interest.

3. It should be noted that in all of the contacts mentioned the academic and research personnel are witting of their involvement with CIA personnel.

4. It is my understanding that the types of involvement listed above are not of interest to Mr. Bader. Therefore, we have not provided a complete list of all such contacts. If, however, Mr. Bader or other members of the Select Committee believe a complete list would be useful to the investigation, OJCS will provide it.

STATINTL

  
HARRY E. FITZWATER  
Director of Joint Computer Support

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# PRIORITY HANDLING FOIA REQUEST

SUBJECT: (Optional)

FOIA Request - John D. Marks

ODP # 484-77

REQUEST NUMBER

F 76-666

FROM:

7486 R 9271  
6400 R 9581

EXTENSION

DATE SENT

15 March 1977

Rec'd 3/15/77

SUSPENSE DATE

29 March 1977

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

ACTION: 1 thru 8

The attached material was surfaced by the Office of Legislative Counsel in its search on Mark's request for information provided to the Church, Pike and Rockefeller committees concerning CIA involvement with the Academic Community.

OGC has ruled that we must review the documents in question since they contain releasable material, and thus, are not subject to blanket denial.

Please review the documents originated by your office to determine if they can be released to Subject in full in sanitized form, or if they are to be denied.

Each package also contains a covering memorandum which may or may not contain substantive information relating to the rest of the material. Please review these for your own equities.

ACTION

See paragraph 3 of attached memo. Pls review for release/denial those documents relevant to Mr. Mark's request.

J 1

RETURN TO:

# PRIORITY HANDLING FOIA REQUEST

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INTERNAL USE ONLY

UNCLASSIFIED

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Approved For Release 2002/01/08 : CIA-RDP83T00578R00050003-6  
CONFIDENTIAL

# PRIORITY HANDLING FOIA REQUEST

SUBJECT: (Optional)

John D. Marks & Morton Halperin litigation

ODP #1477-77

REQUEST NUMBER

IPS 76-666

FROM:

IPS  
2-E-50 - Hqs.

STATINTL

EXTENSION

5615

DATE SENT

26 July 1977

SUSPENSE DATE

ASAP

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. ODP/FIO  
DX-6

2.

3.

4.

5.

6.

7.

8.

9.

10.

11.

12.

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On 15 March 1977 IPS asked that you review material on subject request. The case has now gone into litigation. For this reason will you rereview your decision and do a formal memo outlining your decisions. Please forward the original of this memo to me with a drop copy to [REDACTED] OGC.

RETURN TO:

# PRIORITY HANDLING FOIA REQUEST

FORM 3749  
1-75

☐ SECRET

☐ CONFIDENTIAL

☐ INTERNAL  
USE ONLY

☐ UNCLASSIFIED